

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2009-006030

08/26/2010

JUDGE DAVID J. PALMER

CLERK OF THE COURT

L. Wistuber

Deputy

IN RE THE MATTER OF  
MATTHEW MCCORMICK

KARLA L CALAHAN

AND

PATRICIA CURRAN

TIMOTHY W DURKIN

DOCKET-FAMILY COURT CCC  
FAMILY COURT SERVICES-CCC

JUDGMENT/DECREE

The Court convened an evidentiary hearing on August 26, 2010 to resolve the issues of child support, provision of medical, dental and vision insurance, payment of unreimbursed medical expenses and attorney's fees. The issues of paternity, child custody and parenting time were previously resolved via stipulation reached by the parties.

**BACKGROUND**

Based upon the information presented at the hearing, the Court makes the following findings and orders:

The parties, who never married, are the natural parents of daughter Valerie, born October 16, 2009. Petitioner/Father works as a helicopter pilot, earning \$52,000.00 per year as a base salary; Respondent/Mother is currently employed part time as a hostess at a fine dining restaurant, earning \$10.00 per hour and working 16-20 hours per week. She also goes to school part time at Chandler Gilbert Community College, pursuing a degree in nursing. For purposes of calculating child support, the Court is imputing full time minimum wage income to Mother.

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Father is purchasing and has agreed to purchase and provide medical, dental and vision insurance for Valerie through his employment, which will cost him \$89.45 per month for Valerie's share only.

Mother testified that she is contemplating enrolling Valerie in a day care facility at a cost of \$980.00 per month to allow her to spend more time working and going to school. She also testified that she will consult with Father about this decision prior to any actual enrollment.

She also testified that she is required to occasionally hire babysitters on weekends to enable her to be able to go to work. The Court is giving her a credit of \$50.00 per month for this purpose for the purpose of the child support calculation. Until Valerie is actually enrolled in a day care, the Court considers any expenditures for full time day care to be speculative at this point.

The parties have also incurred the stipulated amount of \$12,174.76 in unreimbursed medical care costs associated with Mother's pregnancy, birth and care of Valerie. Mother has paid those amounts up front, and Father has been contributing to pay a share of those amounts at the monthly rate of \$250.00 per month since March 4, 2010.

**CHILD SUPPORT**

**IT IS ORDERED** that Father is to pay child support to Mother on the first day of each month in the amount of \$624.19, retroactive to December 1, 2009. Father's child support payments shall be made through the Support Payment Clearinghouse by wage assignment.

Formal written Child Support Order is approved and signed by the Court August 26, 2010, and filed (entered) by the Clerk on this 26<sup>th</sup> day of August, 2010.

**LET THE RECORD REFLECT** an Order of Assignment is initiated electronically by the above-named deputy clerk.

Until the Wage Assignment becomes effective, it is the responsibility of the party obligated to pay child support to pay the support to Support Payment Clearinghouse, P. O. Box 52107, Phoenix, AZ 85072-2107. The payment should show the case number and/or ATLAS case number, the name of the party paying support, and the name of the party who will receive the payment.

If payments are made directly to the person who is to receive the support, the payments may be considered a gift, in which case no credit will be given towards the support obligation.

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Any change in the paying party's employment and any change in the residential address of either party **must** be submitted to the Clerk's Office, in writing, within 10 days of the change (A.R.S. § 25-322(C)). Failure to notify the Clerk's Office of any change may be considered contempt of Court.

**IT IS ORDERED** that within five (5) days from the filing date of this minute entry, Father shall submit to this Court a completed Current Employer Information Sheet, a form for which is attached to this minute entry for Father's convenience.

**UNREIMBURSED MEDICAL EXPENSES**

**IT IS ORDERED** that Father is to pay to Mother 78% of unreimbursed medical expenses, which total \$12,174.76. 78% of that amount is \$9,496.31. To date Father has paid to Mother \$1,585.00.

Accordingly,

**IT IS ORDERED** granting to Respondent/Mother, Patricia Curran, and against Petitioner/Father, Matthew McCormick, Judgment in the amount of \$7,911.38, with interest to accrue at the legal rate of 10% per annum until paid in full.

**IT IS FURTHER ORDERED** that Father is to pay to Mother payments against that Judgment in the amount of \$400.00 per month beginning September 1, 2010.

**HEALTH INSURANCE**

**IT IS ORDERED** that Father is to be responsible for maintaining medical, dental and vision insurance for Valerie, and is to keep Mother apprised with all relevant and necessary information pertaining to that insurance.

**IT IS FURTHER ORDERED** that Mother is to provide Father with Valerie's Social Security number immediately if she has not done so to allow Father to get Valerie completely enrolled in his insurance plan.

**ATTORNEY'S FEES**

Based upon the discrepancy in the parties' incomes and the actions of the parties in the resolution of this case, the Court finds it equitable to order Father to pay a portion of Mother's attorney's fees and costs.

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**IT IS ORDERED** that Father is to pay to Mother 33% of the attorney's fees incurred by her in this matter.

Mother is directed through her attorney to submit an appropriate application and *China Doll* affidavit in that regard.

**IT IS FURTHER ORDERED** signing this minute entry as a formal written Judgment and Order of the Court pursuant to Rule 81, Arizona Rules of Family Law Procedure.

/ s / JUDGE DAVID J. PALMER

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JUDICIAL OFFICER OF THE SUPERIOR COURT

**FILED:** Exhibits Worksheet.

All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.

Attachments:

KARLA L CALAHAN: Current Employer Information, Non IV-D Payment Instructions